

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

AMOS VANDERHOFF,

Plaintiff,

v.

CITY OF NANTICOKE and POLICE
CHIEF THOMAS WALL, in his
Individual and Official capacity,

Defendants.

NO. 3:18-CV-1071

(JUDGE CAPUTO)

ORDER

NOW, this 24th day of September, 2018, **IT IS HEREBY ORDERED** that:

- (1) The Motion to Dismiss (Doc. 14) filed by Defendants City of Nanticoke and Police Chief Thomas Wall is **GRANTED in part and DENIED in part**.
- (2) Count II of the Second Amended Complaint and the official capacity claims against Defendant Wall are **DISMISSED with prejudice**.
- (3) The Motion to Dismiss is **DENIED** in all other respects.

/s/ A. Richard Caputo

A. Richard Caputo
United States District Judge